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8 *The Bank of New York, as Trustee for the*  
9 *Certificateholders of CWALT, Inc. Alternative*  
*Loan Trust 2005-23CB Mortgage Pass-Through*  
*Certificates, Series 2005-23CB*

10 UNITED STATES DISTRICT COURT  
11 DISTRICT OF NEVADA

12 THE BANK OF NEW YORK MELLON FKA  
13 THE BANK OF NEW YORK, AS TRUSTEE  
FOR THE CERTIFICATEHOLDERS OF  
14 CWALT, INC. ALTERNATIVE LOAN  
TRUST 2005-23CB MORTGAGE PASS-  
15 THROUGH CERTIFICATES, SERIES 2005-  
23CB,

16 Plaintiff,

17 vs.

18 TAYLOR WALES, FIRST CALIFORNIA  
19 MORTGAGE COMPANY, LOS PRADOS  
COMMUNITY ASSOCIATION,

20 Defendants.

Case No.: 2:17-cv-02896-JCM-GWF

**STIPULATION AND ORDER TO EXTEND  
DISPOSITIVE MOTION DEADLINE**

[SECOND REQUEST]

21 Plaintiff/Counter-Defendant The Bank of New York Mellon fka The Bank of New York, as  
22 Trustee for the Certificateholders of CWALT, Inc. Alternative Loan Trust 2005-23CB Mortgage  
23 Pass-Through Certificates, Series 2005-23CB (**BoNYM**), Defendant/Counter-Claimant/Third-Party  
24 Plaintiff Taylor Wales (**Wales**), and Third-Party Defendant Rugged Oaks Investments, LLC  
25 (**Rugged Oaks**) stipulate to extend the respective dispositive motion deadlines as to Wales  
26 counterclaim against BoNYM and Wales third-party claim against Rugged Oaks. This is the second  
27 request to extend the dispositive motion deadline set by the stipulation and order to extend discovery  
28 filed on August 23, 2018 [ECF No. 54]. The current deadline is set for January 22, 2019. The parties

1 stipulate and agree to an additional 30 day extension to file dispositive motions. The new deadline  
2 for dispositive motions is **February 21, 2019**. The new deadline for the proposed joint pretrial order  
3 is **March 23, 2019**.

4 Good cause exists to grant the extension. This court dismissed BoNYM's claims on statute of  
5 limitations grounds. [ECF No. 66]. Wales is evaluating whether to proceed on his counterclaim  
6 against BoNYM in light of the court's dismissal. The parties continue to be in settlement  
7 negotiations. Extending the deadline for dispositive motions under the circumstances will preserve  
8 court and party resources should Wales dismiss his claims or the parties settle. This request is made  
9 in good faith and not made for purposes of delay.

10 Dated: January 22, 2019

11 **AKERMAN LLP**

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**ORDER**

**IT IS SO ORDERED:**

  
**UNITED STATES DISTRICT COURT JUDGE**

DATED: January 25, 2019